

SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
MAY 13, 2004

\_\_\_\_\_ ACTION/DECISION

  X   INFORMATION

- I.     **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control
  
- II.    **SUBJECT:** Administrative and Consent Orders issued during the period March 1, 2004, through March 31, 2004.
  
- III.   **FACTS:** For the period March 1, 2004, through March 31, 2004, Environmental Quality Control issued thirty-five (35) Consent Orders with total assessed civil penalties in the amount of \$101,740.00. There were four (4) Administrative Orders placed in force during this reporting period with total assessed civil penalties of \$15,415.00.

Unless otherwise specified, "Previous Orders" as listed in this report include the orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
<b>Land &amp; Waste Management</b>				
Hazardous Waste	0	\$ 0	1	\$ 11,250
Solid Waste	0	0	1	5,000
<u>UST Program</u>	<u>4</u>	<u>15,415</u>	<u>1</u>	<u>2,600</u>
SUBTOTAL	4	\$15,415	*2	\$ 18,850
<b>Water</b>				
Drinking Water	0	\$ 0	15	\$ 11,490
<u>Water Pollution</u>	<u>0</u>	<u>0</u>	<u>12</u>	<u>23,800</u>
SUBTOTAL	0	\$ 0	27	\$ 35,290
<b><u>Air Quality</u></b>				
SUBTOTAL	0	\$ 0	6	\$ 47,600
<b>TOTAL</b>	<b>4</b>	<b>\$15,415</b>	<b>35</b>	<b>\$ 101,740</b>

\*Hazardous Waste and Solid Waste are each credited with one order; however, the BLWM subtotal is 2 because the order was a joint order between the two programs.

**ANALYSIS:** During the reporting period, Solid Waste Enforcement and Hazardous Waste Enforcement issued a multi-media Consent Order with a civil penalty totaling \$16,250.00 against a Respondent that operates a solid waste processing facility. The Consent Order cited the Respondent for accepting hazardous waste as solid waste due to inadequate waste screening procedures. The Respondent revised its waste control plan prior to signing the Consent Order and agreed to implement the revised plan. Upon discovery, the waste was properly disposed as hazardous waste at the Respondent's hazardous waste facility.

The Underground Storage Tank Enforcement Program issued a Consent Order with a civil penalty of \$2,600.00 against a Respondent that owns and operates underground storage tanks nationwide and at multiple locations in South Carolina. The Consent Order cited the Respondent for failure to operate and maintain corrosion protection equipment continuously, failure to provide an adequate release detection method; and failure to supply records to the Department upon request. The Respondent corrected all of the violations and also agreed to send its South Carolina managers to compliance training sessions conducted by Department Underground Storage Tank staff.

Water Pollution Enforcement issued a Consent Order against a municipality for allowing the improper discharge of wastewater from one of its wastewater treatment facilities during periods of heavy rainfall. The municipality had recently taken ownership of several minor facilities previously owned by communities and/or municipalities that were unable to properly operate and maintain the collection systems and the wastewater treatment facilities. The Respondent agreed to report all sanitary sewer overflows and to develop a comprehensive investigation and rehabilitation program for all of the facilities it owns and operates.

Of the thirty-five (35) consent orders issued by EQC enforcement programs during the reporting period, the enforcement programs report, to date, that thirty-two (32) Respondents have either complied with all requirements of the orders or are currently in compliance with schedules required in those orders.

Submitted by:

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Deputy Commissioner  
Environmental Quality Control